

US Army Corps of Engineers®

PUBLIC NOTICE

APPLICATION FOR PERMIT, NOTICE OF INTENT TO PREPARE A DRAFT EIS/EIR AND NOTICE OF A PUBLIC SCOPING MEETING

LOS ANGELES DISTRICT

Public Notice/Application No.: 2003-01264-AOA

Comment Period: January 20, 2004 through February 27, 2004

Project Manager: Aaron O. Allen (805) 585-2148

Applicant

The Newhall Land and Farming Company
23823 Valencia Boulevard
Valencia, California 91355-2103

Contact

Mr. Mark Subbotin
Newhall Land and Farming Company
(661) 255-4069

Location

The 12,000-acre site encompasses 5.5 linear miles of the Santa Clara River and several side drainages near Santa Clarita, Los Angeles County, California (at: lat:34-24-5.0040 lon:118-37-46.9920)

Activity

The applicant is requesting a long-term Section 404 permit for proposed future discharges of fill material in waters of the United States for the Newhall Ranch Specific Plan and associated facilities along portions of the Santa Clara River and its side drainages, Los Angeles County, California. For more information see page 3 of this notice.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit will be issued or denied under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344). Comments should be mailed to:

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch - Ventura Field Office
ATTN: CESPL-CO—2003-01264-AOA
2151 Alessandro Drive, Suite 110
Ventura, California 93001

Alternatively, comments can be sent electronically to: aaron.o.allen@usace.army.mil

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- The Corps has determined that an environmental impact statement is required for the proposed work and this public notice supplements the Notice of Intent to Prepare a Draft Environmental Impact Statement that was published in the Federal Register in January 2004. The DEIS will be a project-level document which addresses a number of interrelated actions over a specific geographic area that (1) would occur as logical parts in the chain of contemplated actions, and (2) would be implemented under the same authorizing statutory or regulatory authorities. The information in the DEIS will be sufficient for the Corps to make a decision regarding the issuance of a long-term Section 404 permit for the Newhall Ranch Specific Plan. The document will be a joint Federal and state document. The California Department of Fish and Game (CDFG) will prepare an Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act for the same project regarding a state streambed alteration agreement and state endangered species permit. The Corps and CDFG will work cooperatively to prepare a joint DEIS/DEIR document, and to coordinate the public noticing and hearing processes under Federal and state laws.

The impact analysis will follow the directives in 33 CFR 325 which requires that it be limited to the impacts of the specific activities requiring a 404 permit and only those portions of the project outside of “waters of the United States” over which the Corps has sufficient control and responsibility to warrant Federal review. The Corps will extend the geographic scope of the environmental analysis beyond the boundaries of “waters of the United States” in certain areas to address indirect and cumulative impacts of the regulated activities, and to address connected actions pursuant to NEPA guidelines (40 CFR 1508(a)[1]). In these upland areas, the Corps will evaluate impacts to the environment and identify feasible and reasonable mitigation measures and the appropriate state or local agencies with authority to implement these measures if they are outside the authority of the Corps. In evaluating impacts to areas and resources outside the Corps’ jurisdiction, the Corps will consider the information and conclusions from the Final Program EIR for the Specific Plan prepared by Los Angeles County Department of Regional Planning. However, the Corps will exercise its independent expertise and judgment in addressing indirect and cumulative impacts to upland areas due to issuance of the proposed

Section 404 permit.

Water Quality- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency.

Coastal Zone Management- For those projects in or affecting the coastal zone, the Federal Coastal Zone Management Act requires that prior to issuing the Corps authorization for the project, the applicant must obtain concurrence from the California Coastal Commission that the project is consistent with the State's Coastal Zone Management Plan. This project is located outside the coastal zone and preliminary review indicates that it will not affect coastal zone resources. A final determination of whether this project affects coastal zone resources will be made by the Corps, in consultation with the California Coastal Commission, after review of the comments received on this Public Notice.

Cultural Resources- The latest version of the National Register of Historic Places has been consulted and this site is not listed. However, as part of the NEPA and Section 404 process, the Corps will evaluate all cultural and historic resources within the Corps scope of analysis in the project area and, prior to making a final permit decision, the Corps would ensure that the proposed project would be in full compliance with Section 106 of the Historic Preservation Act.

Endangered Species- Preliminary determinations indicate that the proposed activity may affect several federally listed endangered or threatened species, and/or their designated critical habitat, including the unarmored threespine stickleback, arroyo toad and the least Bell's vireo. Therefore, formal consultation under Section 7 of the Endangered Species Act is required for the proposed project.

Public Hearing- A public scoping meeting to receive input on the scope of the DEIS will be conducted on **February 19, 2004 at 6:30 P.M.** at **Castaic Middle School Auditorium**, located at **28900 Hillcrest Parkway** in Castaic, California. Participation in the scoping meeting by Federal, state, and local agencies, and other interested private citizens and organizations are encouraged (for a map showing the location of the public scoping meeting please see Figure 4).

Proposed Activity for Which a Permit is Required

The Newhall Ranch Project is located in northern Los Angeles County and encompasses approximately 12,000 acres (Figures 1, 2 and 3). The Santa Clara River and State Route 126 traverse the northern portion of the Specific Plan area. The river extends approximately 5.5 miles east to west across the site. On March 27, 2003, the Los Angeles County Board of Supervisors approved the Specific Plan, which establishes the general plan and zoning designations necessary to develop the site with residential, commercial, mixed use and open space over the next 20 to 30 years. The Newhall Ranch Specific Plan also includes a Water Reclamation Plant at the western edge of the project area. Individual projects, such as residential, commercial, and industrial developments, roadways, and other public facilities would be developed over time in accordance with the development boundaries and guidelines in the approved Specific Plan. Many of these developments would require work in and adjacent to the Santa Clara River and its side drainages ("waters of the United States"). The Newhall Land and Farming Company would develop most of the above facilities. However, other entities could construct some of these facilities using the approvals or set of approvals issued to The Newhall Land and Farming Company. The proposed Section 404 permit would also include routine maintenance activities to be carried out by Los Angeles County Department of Public Works using the Section 404 permit issued to The Newhall Land and Farming Company. Any party utilizing a Section 404 permit issued to The Newhall Land

and Farming Company would be bound by the same conditions in the Section 404 permit.

Newhall Land has identified various activities associated with the Newhall Ranch Project that would require Corps permitting. Many of the proposed activities would require a 404 permit because the activities would affect the riverbed or banks within the jurisdictional limits of the Corps in San Martinez Grande, Chiquito, Potrero, and Long canyons, and smaller drainages with peak flows of less than 2,000 cubic feet per second, as well as the Santa Clara River. These activities are listed and described in further detail below:

- Bank protection to protect land development projects along water courses (including buried soil cement, buried gunite, grouted riprap, ungrouted riprap, and gunite lining);
- Drainage facilities such as storm drains or outlets and partially lined open channels;
- Grade control structures;
- Bridges and drainage crossings;
- Utility crossings;
- Trails;
- Building pads;
- Activities associated with construction of a Water Reclamation Plant (WRP) adjacent to the Santa Clara River and required bank protection;
- Water quality control facilities (sedimentation control, flood debris, and water quality basins);
- Ongoing maintenance activities by the LACDPW; and
- Temporary haul routes for grading equipment.

There are several potential environmental issues that will be addressed in the DEIS/DEIR. Additional issues may be identified during the scoping process. Issues initially identified as potentially significant include:

- a) Surface Water Hydrology, Erosion and Sedimentation;
- b) Groundwater;
- c) Water Quality;
- d) Biological Resources;
- e) Land Use;
- f) Cultural and Paleontological Resources;
- g) Air Quality;
- h) Noise;
- i) Traffic;
- j) Visual Resources;
- k) Parks, Recreation and Trails.

Additional Project Information


Alternatives initially being considered for the proposed improvement project include the following:

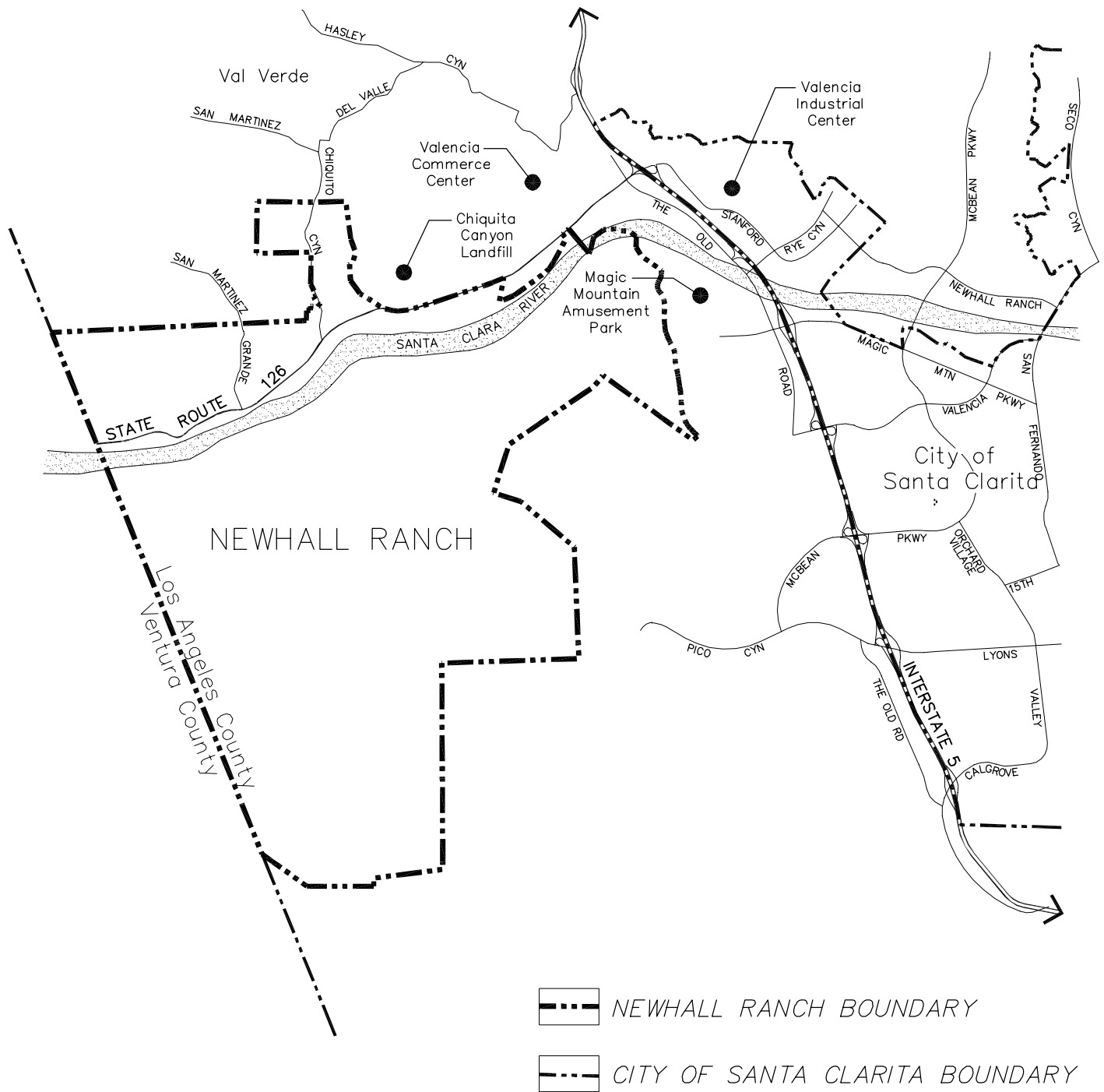
- a) Alternate locations and configurations of various proposed facilities such as buried bank stabilization, bridges, and grade control structures, along each of the major side drainages including Chiquito Canyon, Potrero Canyon, San Martinez Grande, and Long Canyon, as well as the Santa Clara River;
- b) No Federal action (no construction of facilities within “Waters of the U.S.”);
- c) No Project (no physical changes).

Proposed Special Conditions

None at this time.

For additional information please call Aaron O. Allen of my staff at (805) 585-2148. This public notice is issued by the Chief, Regulatory Branch.

Please notify the project manager at least 15 days prior to the hearing date if you have any special communication  is.



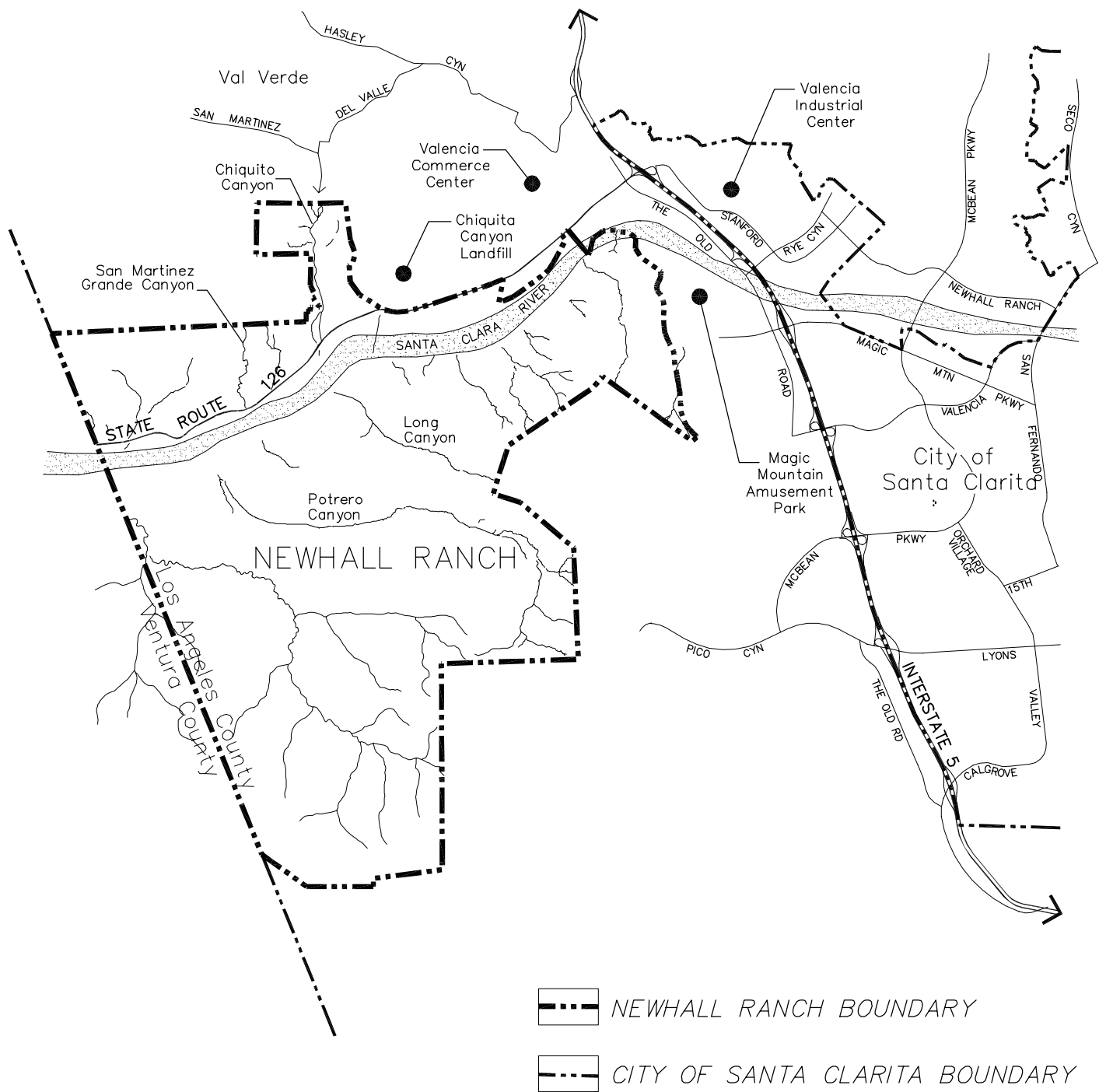
NEWHALL RANCH™
SPECIFIC PLAN

Prepared For: Newhall Ranch Company

FIGURE 1 SPECIFIC PLAN LOCATION AND BOUNDARIES

Computer Mapping by **FORMA** Systems

JANUARY 2004
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NEWHALL RANCH™
SPECIFIC PLAN

Prepared For: Newhall Ranch Company

FIGURE 2
**DRAINAGES WITHIN
NEWHALL RANCH PROJECT AREA**

Computer Mapping by **FORMA** Systems

JANUARY 2004
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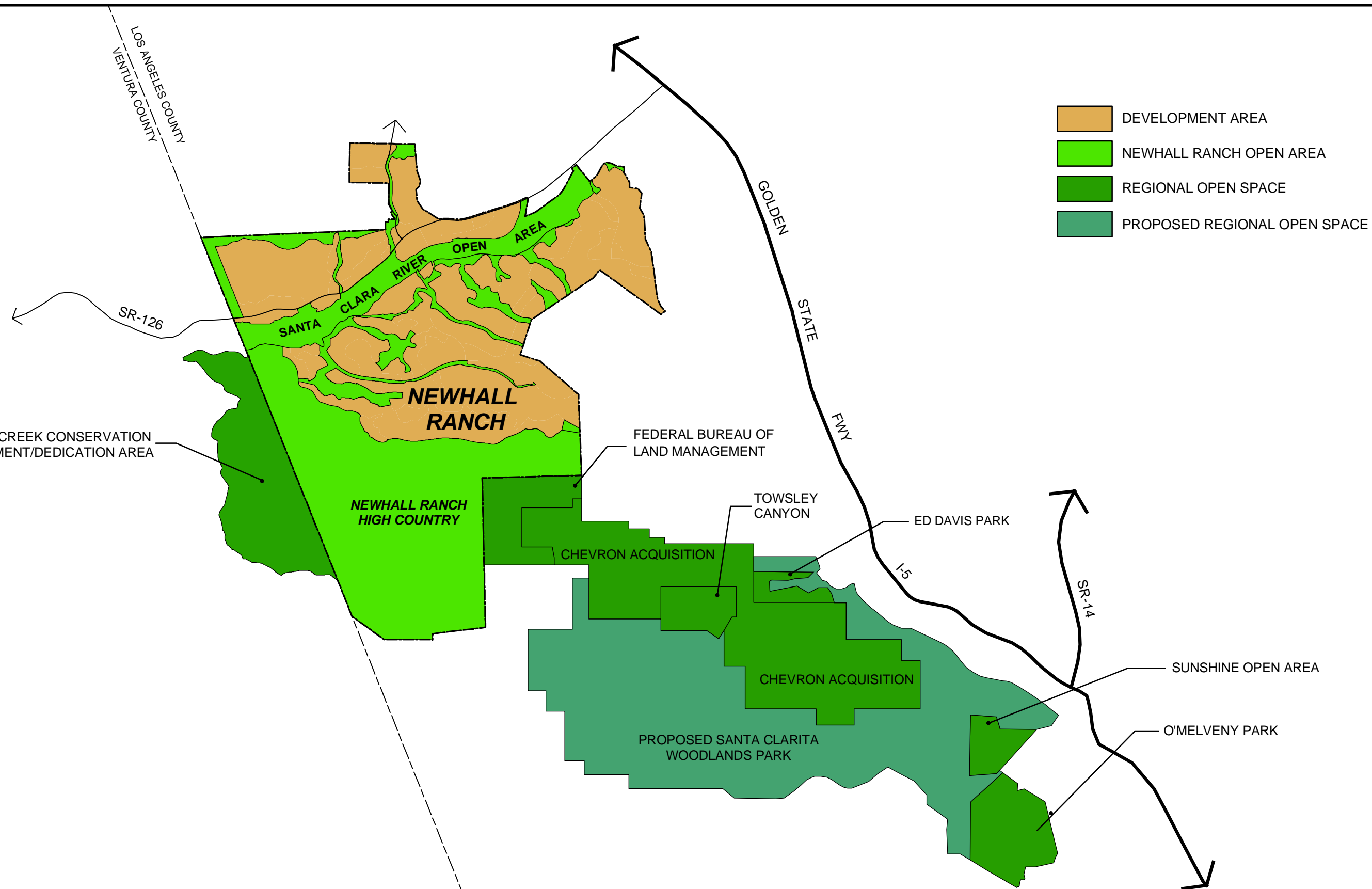


FIGURE 3
REGIONAL OPEN SPACE

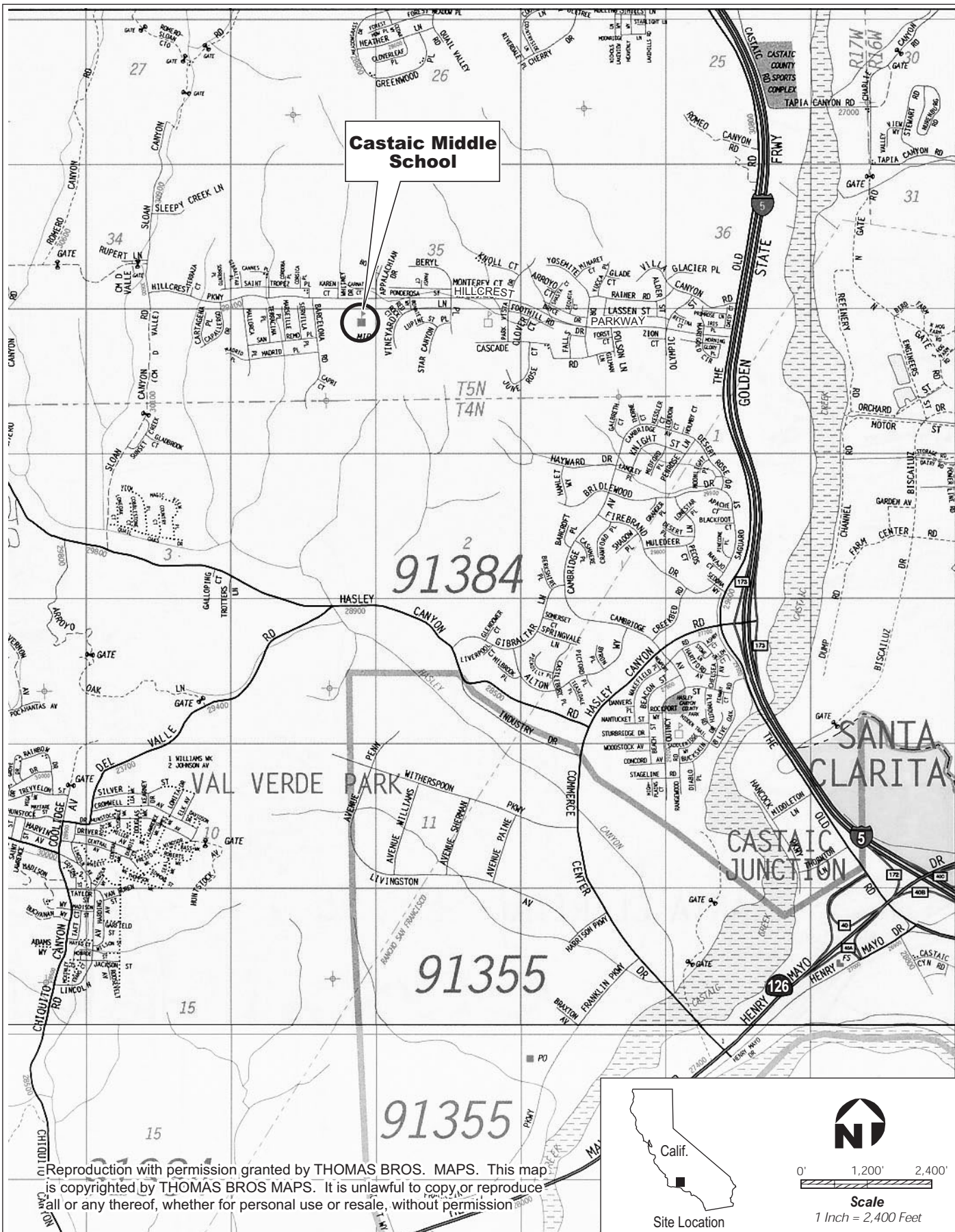


Figure 4. **PUBLIC SCOPING MEETING LOCATIONS**

January
2004

Newhall Ranch Project

URS Corporation

Source:
The Thomas Guide
Los Angeles and Orange Counties
Dated 2003